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ABSTRACT

Public access to criminal records, facilitated by the use of computerized information storage and retrieval systems, sometimes appears to infringe on individual rights of privacy. Examples may be cited to show that the records compiled on individuals do not always present an accurate picture, due to factual inaccuracies, incomplete information, or problems created by examining information out of context. Policies regarding access to criminal records may be affected by whether the record is formal or informal, separate or mixed with confidential information, current or noncurrent, original or secondary, related to convictions or nonconvictions, sealed or open, or expunged by court order or still in existence. Government officials' behavior in granting or denying access may be affected by how well they know the journalist seeking access, the absence of clear directives on the matter, or a natural resistance to instructions to expunge records. The behavior of both government officials and journalists may be affected by bureaucratic inefficiency, perceptions of the effects on individuals of having criminal records published, and public adoption of extreme positions for bargaining purposes. Differences in viewpoint exist among journalists, government officials, and privacy advocates regarding the conflict between open access to criminal records and limited access that would protect privacy. (GW)

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# ADULT INDIVIDUAL CRIMINAL RECORDS AND THE NEWS MEDIA:

## INHERENT PROBLEMS FOR ACCESS AND PRIVACY

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PREFACE

The research on which this paper is based was done for a larger study on criminal records. That study examined the records themselves, the legal questions of access and privacy related thereto, the effect of computerization, attempts to deal with the problems (through legislation, regulation, and guidelines) and recommendations.

Much of the current controversy surrounding access to criminal records dates back to proposed administrative regulations published by the federal Law Enforcement Assistance Administration (LEAA) in February 1974. Partially as a result of the negative reaction from journalists, the agency retreated from its original proposals -- which would have severely limited access to such records -- in favor of letting individual states submit their own plans. Delays in compliance have become routine. By July 1, 1978, only about 10 states had submitted plans; the others had applied for extensions, and those requests for extensions were still being processed in July. In some states, the proposed plans depend on legislative action and are delayed for that reason. Some states have estimated that it may take them as long as five years to comply with the LEAA's completeness and accuracy requirements and that they cannot comply fully with LEAA until they have statewide information systems in effect. In New York State, where most of the interviews for this study were conducted, the governor's Security and Privacy Committee has postponed its next meeting until September -- fully expecting LEAA approval based on a study by an independent research firm which has recommended extensions. One LEAA

official estimated in July that the full process of implementing the LEAA and/or individual state proposals may well take six to seven years.

Rather than addressing itself to the LEAA proposals and to the mechanics of complying with them, this paper focuses on the background of the problem -- the nature of the criminal records themselves and the problems inherent in them which underlie the concerns for access and privacy.

Criminal records on millions of Americans have long existed in police file folders, court record volumes, and other government information depositories. Traditionally, many of these materials have been recognized as "public records," available to members of the public for inspection.[1] Journalists seeking such information usually have had a legal right no greater than that of any other member of the public in gaining access to such records,[2] but in practice, they have sought and gained access to criminal records more frequently than have other citizens.

That access has been called into question by civil libertarians, law enforcement officials, and legislators in the 1970's, as complex new problems have been created by the introduction of computerized information storage and retrieval systems. While it was always theoretically possible for a reporter to obtain records from distant police stations and courthouses, it was often impractical to do so. The change in storage method--from file folder to computer--simplified retrieval as it simultaneously created privacy problems which had not existed before and magnified those which did exist. Concurrently, legislative attempts to increase citizens' access to government information sometimes appeared to infringe on individual rights of privacy and compounded the problem from the point of view of privacy advocates.[3]

An individual's first record in the criminal justice system is likely to be an entry on a police "blotter," a law enforcement agency's record of occurrences and transactions. The form of the blotter varies from one police agency to another: some agencies keep chronological lists and others keep a

card file. Included are a mixture of serious and not-so-serious occurrences--ranging from a squad car's following up on a neighborhood complaint about loud music at a party, to an arrest for murder.[4]

If police decide not to arrest an individual, a blotter notation of his questioning or some other report of an informal complaint may be the only record kept. If, however, an arrest is made the individual will normally be fingerprinted and a record of that arrest entered into the police agency's files. If the agency is linked to other law enforcement agencies or to a centralized information storage and retrieval system, the arrest record is likely to be fed into the system; and the system is likely to be searched for any previous record on that individual.[5]

If the individual does have a prior record, the agency will then receive a "rap sheet" on him--a record of the individual's arrest(s) with notations as to whether those charges were disposed of by being dropped, by acquittal, or by conviction.[6] The rap sheet might list only one previous incident, or it could list many. Depending on the dispositions of previous charges against the individual, it will contain, normally, a mixture of various kinds of dispositions of the charges. Often, a rap sheet will have numerous instances of dropped charges for every one conviction obtained. Depending on the sharing of information among computer systems, the rap sheet may list only records from one state or it may list records on the individual from a variety of different states. There is, of course, no guarantee that the record is complete: an individual may have been arrested and even convicted in an area whose records are not in the computer. As the law enforcement establishment has moved towards increasing reliance on computerization, however, more records have become accessible within the system through the Federal Bureau of Investigation

(FBI), which has more than sixty million fingerprint cards on more than nineteen million individuals in its criminal section alone.[7, 8]

The courts keep separate records of their own activities and have their own records of cases which come before them, but they also rely on the centralized computer systems. In setting bail for a defendant, for example, a judge normally looks at the past record or rap sheet. The past record is also likely to be considered at the time of sentencing, and it is likely to come from the rap sheet rather than from a check of the local court's records. Ultimately, the sentencing in a current case will also be fed into the system so that it will become part of the individual's computerized record history.

Eventually, if the individual were pardoned for a crime for which he had been convicted, a notation of the pardon should be entered on the rap sheet; but the original entry and the notation of the pardon would both remain on file. Rarely is an entry expunged from the record without a specific court directive ordering expungement.

As governmental computerized information storage and retrieval systems are linked, it also becomes possible for the same system to hold records of arrests, convictions, and dropped charges mixed with other records on the same individual which do not necessarily have any relationship to criminal activity. The Long Beach, California, system, for example, includes information on traffic citations, gun sales, and pawnship citations.[9] The United States Department of Justice's "Civil Disturbance System" has included information on people involved in events which "had the potential for [civil] disorder."[10] The Kansas City, Missouri, police department's system has included information on college students known to have participated in disturbances as well as data on "area dignitaries."[11] One state asked for federal funds for a computer system in which it planned to store information on people who "actively pursue their constitutional rights."[12] And Santa Clara, California, stored information on

voting and jury status, property holdings, occupation, health, and welfare in the same system with police records.[13]

Thus, depending on where a person lives, what he does, and what agencies obtain information about him, a history is compiled which may range from records of his pursuit of his constitutional rights to his conviction and sentencing for murder. The individual has little direct control over the dissemination of that information to journalists or to others.

Unfortunately, the compiled records on an individual do not necessarily reflect an accurate picture of him. Inherent in the records themselves, and in the compilation thereof, are several dangers: (1) a danger that the records are factually inaccurate, (2) a danger that the records are incomplete, and (3) a danger that the records, taken out of context, will create an inaccurate picture.

One example of a factually inaccurate record is that of a District of Columbia woman who had a part-time government job:

> . . . when she tried to get full-time work with the Air Force she lost her part-time job. A data bank said she had a criminal record. Two years later, she finally managed to prove the criminal record was her husband's, not hers.[14]

In another incident, reported by the staff of the Columbia Human Rights Law Review,[15] a youth in New York was arrested on a charge of armed robbery. He had never been arrested before, but the court requested the youth's record prior to the time of arraignment on the robbery charge in order to consider it in setting bail. The record which the court obtained listed the youth's name, address, height, race, and age--all correctly--and it showed the youth had been arrested twice before. In spite of the apparent confusion, the court set a high bail, assuming that the prior record and the storeowner's accusation against the youth in the current crime were both accurate. It

turned out that neither was correct. Apparently a school classmate of the youth had twice been arrested; rather than create a record under his own name, he gave police the name of the youth arrested in the later case. Because the two youths were of the same general physical description, the deception worked, and a completely innocent youth had a record he did not deserve and did not even know he had. Had it not been for the subsequent armed robbery arrest bases on the storeowner's erroneous accusation, the innocent youth might have gone through life never knowing why he was turned down for employment or the military.

It is the nature of the criminal records systems that it is impossible to know how many such inaccuracies they contain. The persons on whom such inaccurate records exist may be the only people capable of recognizing the inaccuracies. Yet--because they have had no reason to see their own records--they do not know they exist and therefore are unable to reqest that the inaccuracies be corrected.

Incompleteness is also a problem. Just how great a problem it is, is impossible to say for the same reason that it is impossible to say how great a problem factual inaccuracy is. the people who might recognize the incompleteness are not seeing their own records. Because compilation of a complete criminal history in an information storage and retrieval system depends on the entry of correct data from a variety of sources--arrest data from a local polic agency, conviction data from a court, parole data from a corrections agency--it is possible that some of the data will never be properly entered. Thus, in the instance of an individual arrested for a crime but subsequently acquitted, the arrest entry might appear without the acquittal entry, leaving doubt in the record reader's mind as to the record subject's innocence or guilt.

An example of the incompleteness problem is the case of a Massachuset

man who, after serving time in prison, was granted a full pardon. He moved 1,000 miles away, started a new life, and entered college--only to be kicked out of the college because of his past record. The data bank on which the college relied for its information showed the conviction but not the pardon.[16]

Incompleteness may be an insoluble problem for some record keeping agencies, including the FBI:

> The FBI insists that it hasn't the resources or the obligation to check out each arrest record it receives. But Ralph J. Temple, the American Civil Liberties Union lawyer . . . says that "if it's too much trouble to find out if the guy was acquitted, then the FBI shouldn't keep and disseminate the arrest record." He suggests the FBI place initial arrest records in a separate file pending a follow-up account, advice rejected by the FBI as "not feasible."[17]

One trial judge has said, "Due primarily to the Bureau's limited resources, there is no follow-up to assure that records of arrest frequently are amended to show an ultimate non-criminal disposition."[18] He called the system "out of control."

The third danger of relying on the records is that entries, taken out of context, may be misleading--a problem usually referred to as contextual inaccuracy. To the record reader, an entry of "convicted, criminal trespass" or "convicted felon"--with no additional explanation to accompany the entry--may be more damaging to the record subject than an annotated or contextually complete record might be. As stated in Surveillance, Dataveillance:

> Consider the potential effect of a computer entry: "arrested, criminal trespass; sentenced six months." Without more data how will the user know that our computerized man was demonstrating for desegregation in the South in the 1950's or equal employment opportunities in the North in the 1960's and was convicted under a statute that was overturned on appeal as an unconstitutional restraint on free speech.[19]

Similarly, Arthur Miller cites the example of a citizen whose

computerized central file contains the entry,

> "arrested June 1, 1942, convicted felony January 1, 1943, sentenced 2 1/2 years Levenworth." . . . I have just read to you a shortened form of the arrest record of a man convicted of being a conscientious objector during World War II. . . .[20]

A slightly different kind of contextual inaccuracy is exemplified by the case of Dale Menard, a college student arrested in Los Angeles and charged with burglary after police confronted him with a wallet containing $10 and the name and address of another individual.[21] Police claimed Menard dropped the wallet; he denied it. Police arrested and fingerprinted Menard but released him two days later when no criminal complaint was filed and it was apparent that there was no evidence that a crime had even been committed. Menard's record--factually accurate--was sent to the FBI, reporting the arrest and the dropping of the charges. It included a notation, however, by Los Angeles police saying they were "unable to connect with any felony or misdemeanor at this time [emphasis added]." Without knowing that there had never been a crime committed, a user of Menard's record would surely have been misled into believing that there was reason to suspect Menard. Only after lengthy litigation did Menard obtain court relief in the form of expungement of the record.[22]

That there is no such thing as a perfect record compilation system--one which would be free of factual errors, complete, and contextually accurate--seems obvious. Recognition of the inherent dangers of using the records may be the best for which one can hope.

Policies on access to criminal records are influenced by a variety of statutes, regulations, and less formal considerations. The fact that there are so many different factors to be considered has, without a doubt, contributed to the conflicts which exist among and within those policies and to the confusio

of the people who are expected to follow them. To make sense of the policies, it may help to look separately at the factors which officials typically cite as affecting their policies and then at some other factors which affect access but which are less likely to be mentioned by the officials.

It is possible to identify seven officially cited factors affecting access to criminal records. These are, whether the record is

(1) formal or informal,

(2) separate or mixed with confidential information,

(3) current or non-current,

(4) original or secondary,

(5) of convictions or of non-convictions,

(6) sealed or open,

(7) expunged or still in existence.

Formal records, like final court orders disposing of a case, are seldom withheld from those seeking access. One finds in the literature many quotations to support the right of access to such records. A right to inspect and copy judicial records has been recognized in common law,[23] and

> Generally speaking, and so from the universal policy underlying the judicial system of this country, secrecy in the exercise of judicial power, or of preliminary services leading to the effective exercise thereof, is not tolerable or justifiable. . . .[24]

With records which are less formal, however, record keepers are more reluctant to grant access. An example is the police blotter, which may or may not (depending on the policy agency's own policies with regard to what they include) contain a mixture of official actions like arrests with unofficial actions like responses to citizen complaints which terminated with no arrest. The record keepers are aware of the problems of permitting access to the record of an individual who was questioned about a crime but never arrested. Former

U.S. Senator Sam Ervin cited an example of the release of such information.[25] He said a 15-year-old boy was questioned by police about a theft from a school locker, but he was never arrested, and did not realize he had a record as a result of the incident. Some fifteen years later he was employed by a city government which ultimately obtained an FBI file containing a reference to the incident. He was then asked to explain why he had withheld the information on application forms. "He believes the failure to list the incident was a factor in not gaining employment in several instances, and he was told he would have to institute court action to have the record expunged."[26] Sensitivity to this kind of problem makes record keepers reluctant to grant access to their records of such relatively informal occurrences.

The second of the identifiable officially cited factors affecting access to the records--whether the record being sought is mixed with other information which the record keeper believes to be confidential--is also exemplified by the police blotter. In addition to the fact of an arrest, the blotter would normally contain the name(s) of the arresting officer(s). While such information would not normally be considered confidential, it would be in an instance when the arresting officer was an undercover narcotics agent. The blotter may also contain the names of crime victims. If the individual is a robbery victim, there may be no reason for confidentiality; but if she is a teen-age rape victim, police policy may preclude revealing her name.[27]

Whether the record being sought is current or non-current often determines record keepers' policies for granting access, but this appears to be a matter left to the discretion of the record keeper rather than one spelled out with specific time frames in policy statements or regulations. Traditionally, current information on arrests and court actions is readily available. It is, after all, consistent with the American tradition and with Constitutional

safeguards that people are not arrested or tried secretly--principally as a protection for the accused. Police agencies are usually eager to announce an arrest because it lets the public know police are fulfilling their function for society. The way that announcement is made can range from a full-scale press conference with the police commissioner or chief to letting a beat reporter read the blotter.[28]

Although disclosure of current arrests is common, approval of the practice is by no means universal among those involved in the access- privacy debate. Aryeh Neier, executive director of the American Civil Liberties Union, spoke against disclosure at the 1975 hearing by the Senate Subcommittee on Constitutional Rights. Although he singled out the press in his arguments for denying access, his complaint has broader implications for denying general access to arrest records:

> If the victim of an arrest consents, the arrest record should be made public. But it is sheer gall for segments of the press to insist, as they do, that to protect individuals from bad arrests, law enforcement agencies should disclose arrest records even when the subject of the arrest doesn't want the record disclosed.[29]

Arthur Miller, too, has expressed doubts about the release of current arrest information: "I would say that's one where it's damn near a coin flip as to which way it should go. I'm very troubled by it--on both sides."[30]

While such concerns about the release of current records may be a slight factor in record keepers' decisions for granting access, the concerns about the release of non-current criminal history information are far greater and far more likely to be a factor in denying access. Two possibilities occur: (1) access is sought to the past criminal record of someone accused of a current crime, and (2) access is sought to the past record of someone <u>not</u> accused of a current crime. The press is far more likely to seek access to a record in the first instance than the second. But "nosy neighbors" and employers investigating people they

are considering hiring are more likely to seek access in the second instance. In considering whether to grant access, therefore, record keepers must be prepared to deal with both possibilities.[31]

In an instance where access is sought to the past criminal record of someone accused of a current crime, the record keeper may well be influenced by fair trial free press considerations--the possibility that dissemination of the accused's prior record may prejudice his chances for a fair trial in the current instance.[32, 33] Also, police record keepers may feel that they should not give out the accused's prior record because their only reason for having it is for "law enforcement" or "investigative" purposes and that--while they may agree that the record should be obtainable somewhere--they are not the "proper" source to disseminate that record.

In an instance where access is sought to the criminal record of someone not accused of a current crime, police record keepers may feel it is improper for them to disseminate non-contemporaneous criminal records because such dissemination has no relationship to current police work. Record keepers seem increasingly sensitive to the fears of privacy advocates that "nosy neighbors," employers, and others will systematically discriminate against individuals with past criminal records, ignoring those individuals' rehabilitation

Thus, regardless of whether the record subject is or is not accused of a current crime, record keepers are likely to be influenced by the fact that a record is not current in deciding whether to grant access.

A fourth factor in determining access is whether the record sought is an original one, such as a policy agency's record of an arrest made by one of its own people, or a record from a secondary source, like a computerized state or national information system. There are two evident reasons for this:

(1) record keepers question whether they are the proper source for dissemination of records they did not themselves compile (typically, they may say, "Go get it from the original source--not from us"), and (2) record keepers are sensitive to the fact that there are inherent dangers in the use of the secondary sources, particularly the computerized ones.

A fifth factor in determining access is whether the record sought is one of a conviction or one of a non-conviction. The conviction is, after all, a final finding of guilt by the system. Thus record keepers seem to be more willing to disseminate that information than that of a non-conviction (usually an arrest resulting in an acquittal or dropped charges). The non-conviction reflects, in essence, nothing more than an accusation against someone--perhaps a totally innocent person. Therefore, record keepers may feel inclined to give greater protection to the legally innocent person than to the guilty one. Both the literature and discussion with law enforcement authorities suggest an increased awareness on their part of the kinds of concerns voiced by Harold H. Greene, chief judge of the D.C. Superior Court, when he ordered the expungement of a man's arrest record:

> The mere existence of an arrest record, whether amplified or not, and whether or not followed by a conviction, will inevitably effect [sic] adversely and in countless way subject him to host of hostilities. . . . The fact that he was once arrested has no law enforcement or any other value.[34]

Legislators, too, have begun to make a distinction between conviction and non-conviction information, so far as access to records is concerned.[35]

A sixth factor in determining access is whether the records have been officially sealed. Sealing of the records may be by statutory requirement,[36] by court order, or by administrative rules or regulations. Regardless of the reason, the sealing relieves the individual record keeper of making a decision on granting access.

The seventh factor--also out of the hands of the individual record keeper--is whether the records have been expunged. When ordered to do so by the courts, law enforcement agencies must and do expunge records--almost always non-conviction records.[37] Instances of expungement have been for such reasons as belief that a grand jury which indicated subjects had been misled,[38] conclusive evidence that an accused individual could not possibly have committed "the crime" because no crime actually took place,[39] belief that participation in antiwar demonstrations did not really constitute criminal action,[40] or that the arrests made were unconstitutional[41] or were made without probable cause.[42]

As with sealing, expungement relieves the individual record keeper of making a decision on granting access.

The seven factors cited above are all mentioned in discussions with record keepers, in the literature, and sometimes in legislation, but it would be naive to assume that they were the only factors affecting access to criminal history information.

A number of other factors are also at play in the decision-making which ultimately determines access to criminal records. They are pragmatic considerations and factors of human behavior that sometimes seem so obvious that they might be easy to overlook.[43]

With regard to the way government officials behave, one must consider the following:

(1) Access to criminal records is much more likely to be granted to a journalist who is well known to the official than to one who is not. Friendships between journalists and their sources may be as important as the policy or regulations of the agency. Comments like "It's who you know that counts,"

and "One hand washes the other" are frequently made.[44]

(2) When questioned, administrative officials and executives often say they have a policy and that they adhere to it--no doubt partially because that seems the "right" answer. With regard to access to criminal records, however, the so-called "policy" appears seldom to be in writing, and the assertions that it is "clear" and "well understood" by agency officials must be open to question.[45]

(3) In the absence of clear directives on whether or not to grant access, government officials are forced into making policy decisions that many would rather not make. Many seem genuinely to wish that "somebody higher up" would decide the issue, once and for all, so that they would not feel "caught in the middle."[46]

(4) Even if the problem is ultimately resolved by placing greater emphasis on privacy--and ordering the sealing or expunging of more records--there is a real possibility that it may be difficult to carry out such orders quickly because of lack of funds or because of the natural resistance of government bureaucrats to instructions to destroy records in their custody.[47]

Other factors affect the behavior of both government officials and journalists wherein one must consider the following:

(1) Regardless of the outcome of the debate and the rules and regulations eventually promulgated, it will take time for word to reach the police sergeants, reporters, and others who deal with the problem on a day-to-day basis. Bureaucracy and inertia are likely to get in the way of an efficient transmission of the regulations and/or policy.

(2) Community size will affect the behavior of both the government officials and journalists, as they consider the possible effect on an individual

of having his record appear in the media.[48]

(3) The public positions adopted by both government officials and journalists may be quite different from their private feelings on the matter. As advocates on either side of the debate, both seem to adopt extreme positions publicly for purposes of bargaining. In private, they sometimes admit to a more neutral position and to willingness to compromise when the time is right.[49]

To some extent, journalists, government officials, and privacy advocates all recognize dangers of relying on criminal records caused by factual inaccuracy, incompleteness, and contextual inaccuracy. They are also aware of the variety of factors affecting access. Their evaluation of the dangers and of the factors affecting access, however--combined with their natural biases in viewing the problems from their own vantage points--sometimes lead them to quite different conclusions.

Journalists tend to argue that criminal history information is part of an established judicial or police record which should automatically be open. If arrests and trials cannot be secret and must be public, they say, then it is simply illogical to keep records of those arrests and trials secret--regardless of how much time elapses. If a court record is a public record when kept at the courthouse, it is illogical, they argue, for it not to be public when it is stored in a computer in a building next door to the courthouse.[50]

Public officials and privacy advocates, on the other hand, feel the question is far more complex. While they agree that trials and the original records of those trials are public, they argue that a law enforcement compilation of those records is inherently different because it is a compilation, and that it is subject to different rules. Furthermore, the privacy advocates say that the openness of arrests and trials is in large part intended as a protection

for accused persons, but that openness of those records is not essential to society and should give way to stronger arguments in favor of the privacy of people who are rehabilitated and want to escape public awareness of their past.

Journalists argue that criminal history information, in addition to being part of an established public record because it pertains to a public arrest or public trial, should be considered public in its own right because it is kept at taxpayer expense and at the mandate of the legislature or courts. When the government orders the keeping of such records, it is because they are for the public use, the argument goes. Government officials and privacy advocates counter with the argument that there are numerous other government-kept records which are closed to the public because of privacy interests--including the Internal Revenue Service records and decennial census returns--and that the same principle should apply to criminal records. Privacy advocates again emphasize the damage which can be done to an individual by exposure of his past record and claim that this potential for damage should outweigh the access seeker's demands to see the record.

Journalists argue that denial of access to the records is an interference with a First Amendment right to gather news which is only beginning to be recognized in the courts.[52] Government officials and privacy advocates argue that journalists are still free to gather the records from original court documents if not from computerized compilations, thus access to law enforcement computers does not constitute an improper infringement. Government officials and privacy advocates also frequently deny that the First Amendment gives journalists any unique right of access, saying that it protects a right to publish, not a right to gather, news.

Stressing a basic reason for the existence of the First Amendment,

journalists emphasize the need for disclosure of as much information as possible about the entire criminal justice system and the traditional role of the press as a watchdog in bringing about that disclosure. Journalists argue that they need maximum access to criminal records in order to measure the effectiveness and integrity of the law enforcement establishment, so that they can report to the public on the problem of crimes committed by repeat offenders, and so that they can report fully to the public on the criminal records or lack thereof of public employees, public officials, and candidates for political office. Government officials and privacy advocates argue that journalists have plenty of information with which to fulfill their watchdog function without access to individuals' private records. The officials and privacy advocates suggest, for example, that journalists' investigative stories are more likely to be based on leaked information from disgruntled sources than on meticulous analysis of individual records, and that access to a large mass of individuals' records is not likely to lead to a more effective press.

Another area of disagreement is over the need for centralized records and who should have access to them. Because government is the chief compiler of the records, officials tend to view the compilations as government property which may be withheld from the press in the interests of law enforcement. They point out that journalists could start their own computerized files of arrest and court records if they wanted to. Privacy advocates make the same argument. Journalists argue that if there is a centralized record system, they should be allowed to use it. The alternatives of keeping their own records or of checking original records in many police and court jurisdictions is impractical and cost-prohibitive, they argue.

These differences in viewpoint among journalists, government official and privacy advocates are responsible for the debate of the 1970's on access to criminal records. As in any such debate, there are good arguments to be made on both sides, and only by careful analysis of the access claims and the privacy claims can one hope to arrive at a reasonable solution. The numerous factors affecting access make it clear that there can be no simple solution.

It is clear from a look at the records and what they contain, from the problems inherent in those records, from the complex factors which affect access to them, and from the differing viewpoints of journalists, government officials, and privacy advocates that society faces a dilemma. The choice is between open access to criminal records and limited access which would protect privacy. Judging from the diversity of opinions evident in both the literature and discussions with professional leaders, attempts to resolve the problem have not yet succeeded. The search for a resolution--by federal and state authorities and by private interests groups--will not end with the adoption of statutes and rules by individual states in the 1970's.[53]

NOTES

1. See, for example, Cross, Harold L., The People's Right to Know. Morningside Heights, N.Y.: Columbia University Press, 1953.

2. See, for example, federal and state Freedom of Information legislation, which generally makes no distinction between the press and public.

3. Interview, Trudy Hayden, editor of The Privacy Report, American Civil Liberties Union, November 1976.

4. Interview, Francis B. Looney, Deputy commissioner for criminal justice, New York Police Department, November, 1976.

5. Ibid.

6. Interview, Roger Hayes, former counsel, New York State Division of Criminal Justice Services, November 1976.

7. Alan F. Westin and Michael A. Baker, Databanks in a Free Society: Computers, Record-Keeping and Privacy (New York: Quadrangle/The New York Times Book Co., 1972), p. 49.

8. In addition, a "civil file" included records of another sixty-seven million individuals in 1971 [See "This Month's Feature: Controversy Over Federal Data Banks," Congressional Digest, L, (October 1971), 228]. So massive is the FBI's accumulation of records that a United States Court of Appeals judge in 1974, estimating that the FBI's Identification Division had 200 million fingerprint cards, called the system "out of effective control" and sharply criticized the Bureau's supervision of those files [Menard v. Saxbe, 498 F.2nd 1017 (1974)].

9. J. R. Mansell, "Computer Coordinates Public Safety Needs," The American City, May 1974, 74.

10. "This Month's Feature: Controversy Over Federal Data BAnks," Congressional Digest, October 1971, 228.

11. Roger Wilkins, "Threat of Law Enforcement Technology," Current, April 1972, 17.

12. Ibid., p. 16.

13. "See What the 'Data BAnks' Know About You," U.S. News & World Report, April 8, 1968, 82.

14. Sterling G. Slappey, "A Lot of People Know Your Secrets," Nation's Business, October 1974, 33.

15. Staff of Columbia Human Rights Law Review, Surveillance, Dataveillance and Personal Freedoms: Use and Abuse of Information Technology (Fair Lawn, N. J.: R. E. Burdick, Inc., 1973), p. 104.

16. Slappey, "A Lot of People Know Your Secrets," p. 33.

17. "Arrest Records," New Republic, July 27, 1974, p. 7.

18. Menard v. Saxbe, 498 F.2d 1017 (1974).

19. Staff of Columbia Human Rights Law Review, Surveillance, Dataveillance, p. 19.

20. Arthur R. Miller, "On Proposals and Requirements for Solutions" in "Symposium--Computers, Data Banks, and Individual Privacy," Minnesota Law Review, LIII (1968), 231.

21. Menard v. Saxbe, 498 F.2d 1017 (1974).

22. A related, but different, form of contextual inaccuracy occurs when a record user takes a non-current record of an individual and uses it out of context, failing to emphasize that it is non-current and may not reflect accurately the individual's current behavior. This kind of contextual inaccuracy is obviously the responsibility of the user rather than of the record itself. In Briscoe v. Reader's Digest Assn. [4 Cal. 3d 529 (1971)] a "reformed" truck hijacker sued unsuccessfully because of a magazine article which had accurately mentioned his hijacking crime eleven years earlier; he alleged that until the article no member of his family or friends knew of his past. In effect, by reporting his past crime and not mentioning his current law-abiding life, there was a contextual inaccuracy problem.

23. Practising Law Institute, Communications Law 1975 (New York: Practising Law Institute, 1975), pp. 189-190.

24. Jackson v. Mobley, 157 Ala. 408 (1908).

25. Staff of Columbia Human Rights Law Review, Surveillance Dataveillance, p. 34.

26. Ibid.

27. In an instance where state legislation mandates granting access to the blotter, as it does in New York, police may circumvent the requirement by having two blotters: a "public" blotter from which the confidential information is deleted and an "internal" blotter for their own purposes. This is possible in New York because the legislation never defines the term "blotter." (Interview, Robert Freeman, executive director, Committee on Public Access to Records, New York State Department of State, December 1976,)

28. In New York City, a public relations unit within the Police Department sends out stories of arrests over a wire direct to the local media, so that reporters--at least in theory--do not even have to go to police headquarters.

29. Paul Clancy, Privacy and the First Amendment (Columbia, Mo.: Freedom of Information Foundation, 1976), p. 9.

30. Ibid., p. 16.

31. Although society seems long to have ridiculed "curiosity" as a motive for wanting to know information about one's neighbors, it has accepted as more legitimate an employer's inquiries into the personality and habits of a prospective employee. Such inquiries are being increasingly challenged as invasions of personal privacy.

32. The Reardon Committee of the American Bar Association, in its ill-fated attempt to solve the problem of prejudicial pre-trial and trial publicity, said in its guidelines, "Prohibited extrajudicial comment would include . . . [t]he prior criminal record. . . ." Guidelines adopted state by state with media as well as law input, leave much more to the discretion of the press in deciding whether to print a prior criminal record, and this is still a source of concern for record keepers.

33. The U.S. Supreme Court, in Irvin v. Dowd [366 U.S. 717 (1961)], for example, expressed particular concern with the prejudicial nature of the publication of Leslie "Mad Dog Killer" Irvin's background. The court cited press references to crimes he committed when a juvenile, convictions for arson almost twenty years previously and for burglary and by a court-martial on AWOL charges during World War II as contributing to their decision that he had been denied a fair trial.

34. Clancy, Privacy and the First Amendment, pp. 24-25. [The man whose arrest record was expunged had been arrested for murder, but the charges had been dropped three days later when tests showed conclusively that the "victim" had committed suicide.]

35. See, for example, Chapter 877 of the Laws of 1976, New York State, which permits the sealing of non-conviction data.

36. Ibid.

37. One person interviewed suggested that he doubted such expungement is fully effective. It is too likely, he said, that some bureaucrat is going to think the ruling "silly" and that sooner or later someone will be glad that he protected the records. It goes against bureaucrats' training and custom, he said, to destroy things, so they are more likely to seal them in an envelope and put them in a bottom file drawer.

38. "Indianapolis Reporters Obtain Expungement of Their Arrest Records," Press Censorship Newsletter No. VIII, October-November 1975, p. 97.

39. "Wash DC Court Expunges Arrest File for Murder Citing Right to Privacy," Press Censorship Newsletter No. VIII, October-November 1975, pp. 96-97.

40. "Virginia Police Destroy Public Arrest Records: Won't Comment," Press Censorship Newsletter No. VIII, October-November 1975, p. 100.

41. US Court Seals 13,000 Mayday Arrest Files Which Will Be Expunged: No Appeal Taken," Press Censorship Newsletter No. VII, April-May 1975, p. 32.

42. Paul A. Longton, "Maintenance and Dissemination of Records of Arrest versus the Right to Privacy," Wayne Law Review, XVII (1971), 995-1006.

43. Because these factors are far less likely to be officially cited in the literature or elsewhere, the author has relied on his observations during five years as executive director of The New York Fair Trial Free Press Conference and on interviews conducted during the present research.

44. This observation is based collectively on a number of interviews with journalists and sources in New York State over a five year period.

45. Interviews within the New York Police Department -- from a deputy commissioner down to a sergeant who deals regularly with the press -- provided one example of this problem.

46. This was true, for example, of lower echelon officials in the New York Police Department.

47. Based in part on an observation by Roger Hayes, former counsel, Division of Criminal Justice Services, New York State.

48. For example, in smaller communities, both journalists and officials interviewed pointed out that the people in the community remember crimes regardless of whether the record is printed in the newspaper or not.

49. Such was the case with several journalists, particularly, who admitted to mixed feelings long after they had stated rather absolute positions early in interviews.

50. One who has stated this position several times is William Sexton, associate editor of Newsday, The Long Island newspaper.

51. Trudy Hayden of the American Civil Liberites Union is an example of one who made such arguments during a private interview.

52. See, for example, discussion in Branzburg.

53. The Justice Department's Law Enforcement Assistance Administration has been in the forefront of attempts to get individual states to adopt policies consistent with those of the federal government in limiting access to criminal records. The impetus for such moves grows out of the Privacy Act of 1974 and limitations on the dissemination of individually-identifiable federal records.

## APPENDIX

### SAMPLE "RAP SHEETS"

On the following pages are two sample "rap sheets"--computerized criminal justice histories--obtained from the New York State Division of Criminal Justice Services. The first is a record marked "Single event," showing an arrest on November 16, 1976, which had not yet been disposed of at the time the record was prepared. The second is a fifteen-page criminal history marked "Multiple events," which shows a series of charges and dispositions on one 25-year-old man.

Because of privacy considerations, all identifying information was deleted from the records before they were given to the researcher.

Single event

DATE 11-16-76 STATE OF NEW YORK TRANS NO 00CB8
TIME 1052 DIVISION OF CRIMINAL JUSTICE SERVICES PAGE 1
ALBANY, NEW YORK 12203
RUN NO 9981
CONFIDENTIAL TO: AUTHORIZED AGENCY

DOS 02-16-60
RAC WHITE
SEX MALE
HGT 5-04
SCC
FBI

NAME [redacted] NYSID 4076280H

NAMES USED BY SUBJECT [redacted]

- - - - - SUMMARY OF NYS CRIMINAL HISTORY INFORMATION - - - - -

| DATE | CHARGES | DISPOSITION |
|---|---|---|
| 11-16-76 | PL D FEL ASSAULT -2ND | |
| | PL A MISD RESISTING ARREST | |

< < < < < < < CRIMINAL HISTORY > > > > > > >

| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| ARR DT/PL 11-16-76 BRONX COUNTY | 120.05 PL CLASS D FEL ASSAULT -2ND | |
| CRM DT/PL 11-16-76 BRONX COUNTY | NCIC 1399 | |
| ARR #/AGY 04039957 NYCPD PCT 040 | 205.30 PL CLASS A MISD RESISTING ARREST | |
| CRT CON # 2557502M | NCIC 4801 | |
| FAX NO 8028529 | | |

< < < < < < < OTHER INFORMATION > > > > > > >

| TYPE | DATE | COMMENTS | |
|---|---|---|---|
| BTH INFO | FEB 16,1960 | FREQ 01 | P, RICO FREQ 01 |
| NAME AND ADDRESS | NOV 16,1976 | [redacted] ST | BX NEW YORK |

THE ABOVE RESPONSE TO YOUR INQUIRY IS BASED ON A FINGERPRINT IDENTIFICATION AND CONTAINS ALL INFORMATION DCJS IS AUTHORIZED TO REVEAL.

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Commissioner

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*Represents arrest information unsupported by fingerprints in our files. All entries are as complete as the data furnished to DCJS.

DCJS - 3 (4/75) Summary Case History

Multiple events

DATE 11-16-76
TIME 1142

STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
ALBANY, NEW YORK 12203

TRANS NO 0UCB
PAGE 1
B # 8685485
DOB 01-24-5
RAC NEGRO
SEX MALE
MGT [redacted]
SOC [redacted]
FBI [redacted]

RUN NO 2984
CONFIDENTIAL TO: AUTHORIZED AGENCY

| NAME [redacted] | NYSID 1290226K |

NAMES USED BY SUBJECT

- - - - - SUMMARY OF NYS CRIMINAL HISTORY INFORMATION - - - - -

| DATE | | | | CHARGES | DISPOSITION |
|---|---|---|---|---|---|
| 07-31-67 | RAPE FIRST DEGR | | | | 07-31-67 DISMISSED |
| | FELONIOUS ASSAULT | | | | 07-31-67 DISMISSED |
| 03-26-69 | PL | A | MISD | CRIMINAL MISCHIEF - 4 | 06-30-69 PROB 3 YRS |
| | PL | A | MISD | POSSESSION OF BURGLAR TOOLS | 06-30-69 NOT ARRAIGNED |
| | PL | A | MISD | CRIMINAL MISCHIEF-3RD | 06-30-69 NOT ARRAIGNED |
| 05-07-69 | PL | A | MISD | POSSESSION OF BURGLAR TOOLS | |
| | PL | E | FEL | CRIM POSS ST PROP:VALUE > $250 | |
| | PL | E | FEL | GR LAR:VALUE OF PROPRTY > $250 | |
| 07-04-69 | PL | A | MISD | POSSESSION OF BURGLAR TOOLS | |
| | PL | E | FEL | GR LAR:VALUE OF PROPRTY > $250 | |
| 12-21-69 | PL | E | FEL | CRIM POSS ST PROP:VALUE > $250 | |
| | PL | E | FEL | GRAND LARC: AUTO OVER $250 | |
| | PL | A | MISD | UNAUTH USE VEH:W/O OWNER CNSNT | |
| 07-28-70 | PL | E | FEL | GRAND LARCENY-3RD | 08-21-70 DISMISSED |
| 11-04-70 | PL | A | MISD | PETIT LARCENY | 11-18-70 5 MOS |
| | PL | A | MISD | PETIT LARCENY | 11-18-70 SEE OTHER DISPO |
| 03-28-71 | PL | B | MISD | ATTEMPT AT MISDEMEANOR | 04-08-71 90 DAYS |
| | PL | B | MISD | ATTEMPT AT MISDEMEANOR | 04-08-71 SEE OTHER DISPO |
| | PL | B | MISD | ATTEMPT AT MISDEMEANOR | 04-08-71 SEE OTHER DISPO |
| 06-28-71 | PL | B | MISD | ATTEMPT AT MISDEMEANOR | 07-09-71 90 DAYS |
| | PL | A | MISD | POSSESSION OF BURGLAR TOOLS | 07-09-71 DISMISSED |
| 09-24-71 | PL | E | FEL | GRAND LARCENY-3RD | 10-18-71 BENCH WARRANT |
| 10-12-71 | PL | E | FEL | POSSESSION STOLEN PROPERTY-2ND | 11-11-71 BENCH WARRANT |
| | PL | A | MISD | POSSESSION OF BURGLAR TOOLS | 11-11-71 BENCH WARRANT |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 05-11-72 2 MOS |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 05-11-72 SEE OTHER DISPO |
| 11-01-71 | PL | A | MISD | PETIT LARCENY | 11-23-71 6 MOS |
| | PL | A | MISD | PETIT LARCENY | 11-23-71 SEE OTHER DISPO |
| | PL | A | MISD | PETIT LARCENY | 11-23-71 SEE OTHER DISPO |

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Commissioner

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*Represents arrest information unsupported by fingerprints in our files. All entries are as complete as the data furnished to DCJS.

DCJS - 3 (4/73) Summary Case History

DATE 11-14-76 PAGE 2
NAME [redacted] NYSID 1290226K

- - - - - SUMMARY OF NYS CRIMINAL HISTORY INFORMATION - - - - -

| DATE | | | | CHARGES | DISPOSITION | |
|---|---|---|---|---|---|---|
| 04-08-72 | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 05-11-72 | 6 MOS |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 05-11-72 | SEE OTHER DISPO |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 05-11-72 | SEE OTHER DISPO |
| 11-04-72 | PL | E | FEL | GRAND LARCENY-3RD | 11-04-72 | BENCH WARRANT |
| | PL | | VIOL | LOITERING | 11-04-72 | BENCH WARRANT |
| | PL | E | FEL | POSSESSION STOLEN PROPERTY-2ND | 11-04-72 | BENCH WARRANT |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | 11-04-72 | BENCH WARRANT |
| | PL | A | MISD | POSSESS DANGEROUS WEAPON-MISD | 07-13-73 | SEE OTHER DISPO |
| | PL | A | MISD | POSSESS DANGEROUS WEAPON-MISD | 07-13-73 | 5 MOS |
| | PL | A | MISD | POSSESS DANGEROUS WEAPON-MISD | 07-13-73 | SEE OTHER DISPO |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | 07-13-73 | NOT ARRAIGNED |
| 11-10-72 | PL | B | MISD | ATTEMPT AT MISDEMEANOR | 11-13-72 | COND DISCHARGE |
| | PL | B | MISD | ATTEMPT AT MISDEMEANOR | 11-13-72 | COND DISCHARGE |
| | PL | E | FEL | POSSESSION STOLEN PROPERTY-2ND | 11-13-72 | NOT ARRAIGNED |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | 11-13-72 | NOT ARRAIGNED |
| 11-20-72 | PL | A | MISD | PETIT LARCENY | 12-11-72 | SEE OTHER DISPO |
| | PL | A | MISD | PETIT LARCENY | 12-11-72 | SEE OTHER DISPO |
| | PL | A | MISD | PETIT LARCENY | | |
| | PL | E | FEL | POSSESSION STOLEN PROPERTY-2ND | 12-11-72 | 8 MOS |
| | PL | A | MISD | PETIT LARCENY | 12-11-72 | SEE OTHER DISPO |
| 08-29-73 | PL | E | FEL | GRAND LARCENY-3RD | 09-17-73 | NOT ARRAIGNED |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | | |
| | PL | E | FEL | POSSESSION STOLEN PROPERTY-2ND | 09-17-73 | COND DISCHARGE |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 09-17-73 | NOT ARRAIGNED |
| 10-03-73 | PL | E | FEL | GRAND LARCENY-3RD | | |
| 11-08-73 | PL | A | MISD | POSSESS FORGED INSTRUMENT-3RD | 12-12-73 | DISMISSED |
| | VTL | U | MISD | POSS VEH WITH CHANGED NUMBER | 12-12-73 | DISMISSED |
| 11-14-73 | PL | E | FEL | GRAND LARCENY-3RD | 01-08-74 | DISMISSED |
| | PL | B | MISD | ATTEMPT AT MISDEMEANOR | 01-08-74 | 45 DAYS |
| | PL | B | MISD | ATTEMPT AT MISDEMEANOR | 01-08-74 | SEE OTHER DISPO |
| 12-11-73 | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | 12-12-73 | 60 DAYS |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | 12-12-73 | SEE OTHER DISPO |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | 12-12-73 | SEE OTHER DISPO |
| 04-10-74 | PL | A | MISD | PETIT LARCENY | | |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | | |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | 06-12-74 | 75 DAYS |
| 08-16-74 | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 09-13-74 | 90 DAYS |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 09-13-74 | SEE OTHER DISPO |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 09-13-74 | SEE OTHER DISPO |
| 09-20-74 | PL | A | MISD | ATTEMPT AT CLASS E FELONY | 10-29-74 | DISMISSED |
| 01-13-75 | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | | |
| | VTL | | INFR | UNREG MV UNDER 9MO MINIBIKE | | |
| | VTL | | INFR | UNLICENSED OPERATORS-INFRACTNS | | |
| | VTL | U | MISD | INSURANCE VIOLATIONS | | |
| 05-16-75 | PL | E | FEL | GRAND LARCENY-3RD | 06-04-75 | NOT ARRAIGNED |
| | PL | E | FEL | POSSESSION STOLEN PROPERTY-2ND | 06-04-75 | NOT ARRAIGNED |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | | |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | 06-04-75 | 4 MOS |

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Commissioner

DCJS - 3 (4/73) Summary Case History

DATE 11-[illegible]-76
NAME [redacted]

NYSID 1290226K



- - - - - SUMMARY OF NYS CRIMINAL HISTORY INFORMATION - - - - -

| DATE | | | | CHARGES | DISPOSITION |
|---|---|---|---|---|---|
| 09-22-75 | PL | E | FEL | GRAND LARC: AUTO OVER $250 | |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | |
| | PL | A | MISD | POSSESSION OF BURGLAR TOOLS | |
| 10-16-75 | PL | A | MISD | PETIT LARCENY | 10-20-75 DISMISSED |
| | VTL | U | MISD | OPER VEH WHILE LIC SUSPENDED | 10-20-75 NOT ARRAIGNED |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | 10-20-75 DISMISSED |
| | VIOL | | | OF LOCAL LAW-VIL | 10-20-75 NOT ARRAIGNED |
| 11-09-75 | PL | D | FEL | GR LAR AUTO: VALUE OVER $1500 | |
| | PL | E | FEL | ILLEGAL POSS OF VEH IDENT NO | |
| | VTL | U | MISD | OPER VEH WHILE LIC SUSPENDED | |
| 12-02-75 | PL | E | FEL | GRAND LARCENY-3RD | |
| | PL | E | FEL | POSSESSION STOLEN PROPERTY-2ND | |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | |
| 02-13-76 | PL | D | FEL | GR LAR AUTO: VALUE OVER $1500 | |
| | PL | D | FEL | POSSESSION STOLEN PROPERTY-1ST | |
| | PL | A | MISD | UNAUTHORIZED USE OF A VEHICLE | |
| | PL | A | MISD | POSSESSION STOLEN PROPERTY-3RD | |
| | VTL | | INFR | UNLICENSED DRIVER | |
| 04-15-76 | PL | E | FEL | GRAND LARCENY-3RD | |
| | PL | E | FEL | POSSESSION STOLEN PROPERTY-2ND | |
| | PL | A | MISD | CRIMINAL IMPERSONATION | |

< < < < < < < CRIMINAL HISTORY > > > > > > >

| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| ARR DT/PL 07-31-67<br>NEW YORK COUNTY | RAPE 2ND | <DISPOSITION><br>041 RAPE FIRST DEG<br>DISMISSED |
| CRM DT/PL 07-31-67<br>NEW YORK COUNTY | FEL ASLT NCIC 1300 | 06 FELONIOUS ASSA<br>LT<br>DISMISSED |
| ARR #/AGY 8685485<br>NYCPD PCT 026 | | CRIM CRT NEW YORK<br>07-31-67 DKT/IND# Y00426 |
| ARR DT/PL 03-26-69<br>NEW YORK COUNTY | 145.00 PL CLASS A MISD<br>CRIMINAL MISCHIEF-3RD | <DISPOSITION><br>145.00 PL CLASS A MISD<br>CRIMINAL MISCHIEF - 3 |
| CRM DT/PL 03-26-69<br>NEW YORK COUNTY | 140.35 PL CLASS A MISD<br>POSSESSION OF BURGLAR TOOLS | CONV PLEA GUILTY ABOVE OFFEN<br>PROB: 1 YRS |
| ARR #/AGY 8685485<br>NYCPD PCT 026 | 140.20 PL CLASS D FEL -ATT<br>BURGLARY-3RD | 140.35 PL CLASS A MISD<br>POSSESSION OF BURGLAR TOOLS<br>NOT ARRAIGNED ON THIS CHARGE |
| | | 145.00 PL CLASS A MISD<br>CRIMINAL MISCHIEF-3RD<br>NOT ARRAIGNED ON THIS CHARGE |
| | | CRIM CRT NEW YORK<br>06-30-69 DKT/IND# Y00218 |



Frank J. Rogers

DATE 11-16-75
NAME [redacted]

NYSID 1290226K



< < < < < < < CRIMINAL HISTORY > > > > > > >

| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| ARR DT/PL 05-07-69<br>NEW YORK COUNTY<br><br>CRM DT/PL 05-07-69<br>NEW YORK COUNTY<br><br>ARR #/AGY B685485<br>NYCPD PCT 028 | 140.35 PL CLASS A MISD<br>POSSESSION OF BURGLAR TOOLS<br><br>165.45 PL CLASS E FEL<br>CRIM POSS ST PROP;VALUE > $250<br><br>155.30 PL CLASS E FEL<br>GR LAR;VALUE OF PROPRTY > $250 | |
| ARR DT/PL 07-04-69<br>NEW YORK COUNTY<br><br>CRM DT/PL 07-04-69<br>NEW YORK COUNTY<br><br>ARR #/AGY B685485<br>NYCPD PCT 028 | 140.35 PL CLASS A MISD<br>POSSESSION OF BURGLAR TOOLS<br><br>155.30 PL CLASS E FEL -ATT<br>GR LAR;VALUE OF PROPRTY > $250 | |
| ARR DT/PL 12-21-69<br>NEW YORK COUNTY<br><br>CRM DT/PL 12-21-69<br>NEW YORK COUNTY<br><br>ARR #/AGY B685485<br>NYCPD PCT 024 | 165.45 PL CLASS E FEL<br>CRIM POSS ST PROP;VALUE > $250<br><br>155.30 PL CLASS E FEL<br>GRAND LARC; AUTO OVER $250<br><br>165.05 PL CLASS A MISD<br>UNAUTH USE VEH;W/O OWNER CNSNT | <DISPOSITION><br>NOT REPORTED<br><br>< CORRECTION DATA ><br>7 MONTHS<br>NYC COR REC CLAS CN<br>02-05-70 INMATE ID 770935<br>NEW COURT COMM, NOT ON PAROLE |
| ARR DT/PL 07-28-70<br>NEW YORK COUNTY<br><br>CRM DT/PL 07-28-70<br>NEW YORK COUNTY<br><br>ARR #/AGY B685485<br>NYCPD PCT 028 | 155.30 PL CLASS E FEL<br>GRAND LARC; AUTO OVER $250 | <DISPOSITION><br>155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>DISMISSED<br><br>CRIM CRT QUEENS<br>08-21-70 DKT/IND# A006358 |
| ARR DT/PL 11-04-70<br>NEW YORK COUNTY<br><br>CRM DT/PL 11-04-70<br>NEW YORK COUNTY<br><br>ARR #/AGY B685485<br>NYCPD PCT 028 | 155.30 PL CLASS E FEL<br>GRAND LARC; AUTO OVER $250<br><br>165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD | <DISPOSITION><br>155.25 PL CLASS A MISD<br>PETIT LARCENY<br>CONV PLEA GUILTY ABOVE OFFENSE<br>SENT; 3 MOS<br>INST NOT SPECIFIED<br><br>155.25 PL CLASS A MISD<br>PETIT LARCENY<br>CONV PLEA GUILTY ABOVE OFFENSE<br><br>CRIM CRT NEW YORK<br>11-18-70 DKT/IND# A021432<br>SENT COVER UNDR PL 1552500AM00<br><br>< CORRECTION DATA ><br>5 MONTHS<br>NYC COR REC CLAS CN<br>11-20-70 INMATE ID 7708411<br>NEW COURT COMM, NOT ON PAROLE |

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DCJS - 3 (4/73) Summary Case History

DATE 11-1--74
NAME [redacted]

NYSID 1290226M

PAGE 5

< < < < < < < CRIMINAL HISTORY > > > > > > >

| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| ARR DT/PL 03-28-71<br>NEW YORK COUNTY<br><br>CRM DT/PL 03-28-71<br>NEW YORK COUNTY<br><br>ARR #/AGY 8685485<br>NYCPD PCT 028 | 155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br><br>165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2ND | <DISPOSITION><br>110.00 PL CLASS B MISD<br>ATTEMPT AT MISDEMEANOR<br>CONV PLEA GUILTY ABOVE OFFEN<br>SENT: 90 DAYS<br>INST NOT SPECIFIED<br><br>110.00 PL CLASS B MISD<br>ATTEMPT AT MISDEMEANOR<br>CONV PLEA GUILTY ABOVE OFFEN<br>SENT COVER UNDR PL 11000008M<br><br>110.00 PL CLASS B MISD<br>ATTEMPT AT MISDEMEANOR<br>CONV PLEA GUILTY ABOVE OFFEN<br><br>CRIM CRT NEW YORK<br>04-08-71 DKT/IND# A00722<br>SENT COVER UNDR PL 11000008M<br><br>< CORRECTION DATA ><br>90 DAYS<br>NYC COR REC CLAS CN<br>04-12-71 INMATE ID 371173<br>NEW COURT COMM, NOT ON PAROL |
| ARR DT/PL 06-28-71<br>NEW YORK COUNTY<br><br>CRM DT/PL 06-28-71<br>NEW YORK COUNTY<br><br>ARR #/AGY 8685485<br>NYCPD PCT 024 | 155.30 PL CLASS E FEL<br>GRAND LARC: AUTO OVER $250<br><br>140.35 PL CLASS A MISD<br>POSSESSION OF BURGLAR TOOLS | <DISPOSITION><br>110.00 PL CLASS B MISD<br>ATTEMPT AT MISDEMEANOR<br>CONV PLEA GUILTY ABOVE OFFEN<br>SENT: 90 DAYS<br>INST NOT SPECIFIED<br><br>140.35 PL CLASS A MISD<br>POSSESSION OF BURGLAR TOOLS<br>DISMISSED<br><br>CRIM CRT NEW YORK<br>07-09-71 DKT/IND# A01439<br><br>< CORRECTION DATA ><br>90 DAYS<br>NYC COR REC CLAS CN<br>07-13-71 INMATE ID 371334<br>NEW COURT COMM, NOT ON PAROL |
| ARR DT/PL 09-24-71<br>NEW YORK COUNTY<br><br>CRM DT/PL 09-24-71<br>NEW YORK COUNTY<br><br>ARR #/AGY 02602183<br>NYCPD PCT 026 | 155.30 PL CLASS E FEL<br>GR LAR:VALUE OF PROPRTY > $250 | <DISPOSITION><br>155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>BENCH WARRANT ISSUED<br><br>CRIM CRT NEW YORK<br>10-18-71 DKT/IND# B02266 |
| ARR DT/PL 10-12-71<br>NEW YORK COUNTY<br><br>CRM DT/PL 10-12-71<br>NEW YORK COUNTY<br>(CONT. NEXT PAGE) | 140.35 PL CLASS A MISD<br>POSSESSION OF BURGLAR TOOLS<br><br>165.45 PL CLASS E FEL | <DISPOSITION><br>165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2<br>BENCH WARRANT ISSUED |

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DATE 11-1?-7?
NAME [redacted]

NYSID 1290226K



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| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| | | 165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3<br>CONV PLEA GUILTY ABOVE OFFEN<br><br>CRIM CRT NEW YORK<br>05-11-72 DKT/IND# A02213<br>SENT COVER UNDR PL 1654000AM<br><br>< CORRECTION DATA ><br>8 MONTHS<br>NYC COR REC CLAS CN<br>05-16-72 INMATE ID 772291<br>NEW COURT COMM, NOT ON PAROL |
| ARR DT/PL 11-04-72<br>NEW YORK COUNTY<br><br>CRM DT/PL 11-04-72<br>NEW YORK COUNTY<br><br>ARR #/AGY 02403401<br>NYCPD PCT 024 | 155.30 PL CLASS E FEL<br>GR LAR:VALUE OF PROPRTY > $250<br><br>165.05 PL CLASS A MISD<br>UNAUTH USE VEH:W/O OWNER CNSNT<br><br>165.45 PL CLASS E FEL<br>CRIM POSS ST PROP:VALUE > $250<br><br>240.35 PL VIOL<br>LOIT:SEXUL DEVIATION PUB PLACE | <DISPOSITION><br>155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>BENCH WARRANT ISSUED<br><br>240.35 PL VIOL<br>LOITERING<br>BENCH WARRANT ISSUED<br><br>165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2<br>BENCH WARRANT ISSUED<br><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICL<br>BENCH WARRANT ISSUED<br><br>CRIM CRT NEW YORK<br>11-04-72 DKT/IND# A07198<br><br><DISPOSITION><br>265.05 PL CLASS A MISD<br>POSSESS DANGEROUS WEAPON-MIS<br>CONV PLEA GUILTY ABOVE OFFEN<br>SENT COVER UNDR PL 2650500AM<br><br>265.05 PL CLASS A MISD<br>POSSESS DANGEROUS WEAPON-MIS<br>CONV PLEA GUILTY ABOVE OFFEN<br>SENT: 5 MOS<br><br>265.05 PL CLASS A MISD<br>POSSESS DANGEROUS WEAPON-MIS<br>CONV PLEA GUILTY ABOVE OFFEN<br>SENT COVER UNDR PL 2650500AM<br><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICL<br>NOT ARRAIGNED ON THIS CHARGE<br><br>CRIM CRT NEW YORK<br>07-13-73 DKT/IND# A07198 |
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| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| | | < CORRECTION DATA ><br>5 MONTHS<br>NYC CORRCTL INS MEN<br>07-17-73 INMATE ID 7732325<br>NEW COURT COMM, NOT ON PAROLE |
| ARR DT/PL 11-10-72<br>QUEENS COUNTY<br><br>CRM DT/PL 11-10-72<br>QUEENS COUNTY<br><br>ARR #/AGY 10306790<br>NYCPD PCT 103 | 155.30 PL CLASS E FEL<br>GRAND LARC: AUTO OVER $250<br><br>165.05 PL CLASS A MISD<br>UNAUTH USE VEH;W/O OWNER CNSNT<br><br>165.45 PL CLASS E FEL<br>CRIM POSS ST PROP;VALUE > $250<br><br>140.35 PL CLASS A MISD<br>POSSESSION OF BURGLAR TOOLS | <DISPOSITION><br>110.00 PL CLASS B MISD<br>ATTEMPT AT MISDEMEANOR<br>CONV PLEA GUILTY ABOVE OFFENSE<br>CONDITIONAL DISCHARGE<br><br>110.00 PL CLASS B MISD<br>ATTEMPT AT MISDEMEANOR<br>CONV PLEA GUILTY ABOVE OFFENSE<br>CONDITIONAL DISCHARGE<br><br>165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2ND<br>NOT ARRAIGNED ON THIS CHARGE<br><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>NOT ARRAIGNED ON THIS CHARGE<br>CRIM CRT QUEENS<br>11-13-72 DKT/IND# Q028112 |
| ARR DT/PL 11-20-72<br>NEW YORK COUNTY<br><br>CRM DT/PL 11-20-72<br>NEW YORK CITY<br><br>ARR #/AGY 03204743<br>NYCPD PCT 032 | 170.25 PL CLASS D FEL<br>POSSESS FORGED INSTRUMENT-2ND<br><br>165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br><br>5010 VTL INFR<br>UNLICENSED OPERATORS-INFRACTNS<br><br>4010 VTL INFR<br>VEHICLE REGISTRATION RULES | <DISPOSITION><br>155.25 PL CLASS A MISD<br>PETIT LARCENY<br>CONV PLEA GUILTY ABOVE OFFENSE<br>SENT COVER UNDR PL 1552500AM0C<br><br>155.25 PL CLASS A MISD<br>PETIT LARCENY<br>CONV PLEA GUILTY ABOVE OFFENSE<br>SENT COVER UNDR PL 1552500AM0C<br><br>155.25 PL CLASS A MISD<br>PETIT LARCENY<br><br>165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2ND<br>-COMBINED-<br>CONV PLEA GUILTY ABOVE OFFENSE<br>COMB CHGS<br>SENT: 8 MOS<br><br>155.25 PL CLASS A MISD<br>PETIT LARCENY<br>CONV PLEA GUILTY ABOVE OFFENSE<br><br>CRIM CRT NEW YORK<br>12-11-72 DKT/IND# A074974<br>SENT COVER UNDR PL 1552500AM0C<br><br>< CORRECTION DATA ><br>8 MONTHS |

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| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| | | NYC CUR REC CLAS CN<br>12-13-72 INMATE IO 77263<br>NEW COURT COMM, NOT ON PARO |
| ARR DT/PL 08-29-73<br>NEW YORK COUNTY | 155.30 PL CLASS E FEL<br>GRAND LARC: AUTO OVER 3250<br>NCIC 2499 | <DISPOSITION><br>155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>NOT ARRAIGNED ON THIS CHARG |
| CRM DT/PL 08-29-73<br>NEW YORK COUNTY | 165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>NCIC 2804 | 165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHIC |
| ARR #/AGY 02601926<br>NYCPD PCT 026 | | 165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY- |
| CRT CON # 0606870H | 165.05 PL CLASS A MISD<br>UNAUTH USE VEH;W/O OWNER CNSNT<br>NCIC 2411 | -COMBINED-<br>CONVICTED UPON PLEA OF GUIL<br>COMB C<br>CONDITIONAL DISCHARGE |
| | | 165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-<br>NOT ARRAIGNED ON THIS CHARG<br>CRIM CRT NEW YORK<br>09-17-73 DKT/IND# N3496 |
| ARR DT/PL 10-03-73<br>BRONX COUNTY | 155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>NCIC 2399 | <DISPOSITION><br>INITIAL REPORT OF IND/DKT |
| CRM DT/PL 10-03-73<br>BRONX COUNTY | | CRIM CRT BRONX<br>10-03-73 DKT/IND# X3181 |
| ARR #/AGY 04227906<br>NYCPD PCT 042 | | |
| CRT CON # 0498469L | | |
| ARR DT/PL 11-08-73<br>NEW YORK COUNTY | 170.20 PL CLASS A MISD<br>POSSESS FORGED INSTRUMENT-3RD<br>NCIC 2502 | <DISPOSITION><br>170.20 PL CLASS A MISD<br>POSSESS FORGED INSTRUMENT-<br>DISM, AFTER ARAIGN AND HEAR |
| CRM DT/PL 11-08-73<br>NEW YORK COUNTY | 4220 VTL CLASS U MISD<br>POSS VEH WITH CHANGED NUMBER<br>NCIC 5499 | 4220 VTL CLASS U MISD<br>POSS VEH WITH CHANGED NUMBE<br>DISM, AFTER ARAIGN AND HEAR |
| ARR #/AGY 01707395<br>NYCPD PCT 017 | | |
| CRT CON # 0677267P | 5090 VTL INFR<br>UNLICENSED DRIVER<br>NCIC 5499 | CRIM CRT NEW YORK<br>12-12-73 DKT/IND# N3631 |
| ARR DT/PL 11-14-73<br>NEW YORK COUNTY | 155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>NCIC 2399 | <DISPOSITION><br>155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>DISMISSED |
| CRM DT/PL 11-14-73<br>NEW YORK COUNTY | 165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>NCIC 2804 | 110.00 PL CLASS B MISD<br>ATTEMPT AT MISDEMEANOR<br>CONV PLEA GUILTY ABOVE OFFE |
| ARR #/AGY 02803166<br>NYCPD PCT 028 | | SENT: 45 DAYS<br>INST NOT SPECIFIED |
| CRT CON # 0573410J | 165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE | |
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| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| | NCIC 2411 | 110.00 PL CLASS B MISD<br>ATTEMPT AT MISDEMEANOR<br>CONV PLEA GUILTY ABOVE OFFENSE<br><br>CRIM CRT NEW YORK<br>01-08-74 DKT/IND# N364098<br>SENT COVER UNDR PL 11000008M00 |
| ARR DT/PL 12-11-73<br>NEW YORK COUNTY<br><br>CRM DT/PL 12-11-73<br>NEW YORK COUNTY<br><br>ARR #/AGY 02803492<br>NYCPD PCT 028<br><br>CRT CON # 0503111L | 155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>NCIC 2399<br><br>165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2ND<br>NCIC 2804<br><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>NCIC 2411 | <DISPOSITION><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>CONV PLEA GUILTY ABOVE OFFENSE<br>SENT: 60 DAYS<br>NYC CORRCTL INS MEN<br><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>CONV PLEA GUILTY ABOVE OFFENSE<br>SENT COVER UNDR PL 1650500AM00<br><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>CONV PLEA GUILTY ABOVE OFFENSE<br><br>CRIM CRT NEW YORK<br>12-12-73 DKT/IND# N369209<br>SENT COVER UNDR PL 1650500AM00<br><br>< CORRECTION DATA ><br>60 DAYS<br>NYC COR REC CLAS CN<br>12-13-73 INMATE ID 373 4564<br>NEW COURT COMM, NOT ON PAROLE |
| ARR DT/PL 04-10-74<br>NEW YORK COUNTY<br><br>CRM DT/PL 04-08-74<br>NEW YORK COUNTY<br><br>ARR #/AGY 02600695<br>NYCPD PCT 026<br><br>CRT CON # 1054456Y<br><br>FAX NO M12567 | 155.30 PL CLASS E FEL<br>GRAND LARC: AUTO OVER $250<br>NCIC 2499<br><br>165.05 PL CLASS A MISD<br>UNAUTH USE VEH;W/O OWNER CNSNT<br>NCIC 2411<br><br>165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2ND<br>NCIC 2804 | <DISPOSITION><br>155.25 PL CLASS A MISD<br>PETIT LARCENY<br>-COMBINED-<br><br>165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>-COMBINED-<br><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>CONVICTED UPON PLEA OF GUILTY<br>COMB CHGS<br><br>CRIM CRT NEW YORK<br>06-12-74 DKT/IND# N419247<br>SENT: 75 DAYS<br>NYC CORRCTL INS MEN |
| ARR DT/PL 08-16-74<br>NEW YORK COUNTY<br><br>CRM DT/PL 08-16-74<br>NEW YORK CITY<br><br>(CONT. NEXT PAGE) | 155.30 PL CLASS E FEL<br>GR LAR;VALUE OF PROPRTY > $250<br>NCIC 2399<br><br>165.50 PL CLASS D FEL | <DISPOSITION><br>165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>CONVICTED OF OTHER OFFENSE<br>SENT: 90 DAYS<br>NYC CORRCTL INS MEN |

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| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| ARR #/AGY 03202637<br>NYCPD PCT 032<br><br>CRT CON # 1083106J<br><br>FAX NO M30172 | POSSESSION STOLEN PROPERTY-1ST<br>NCIC 2804<br><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>NCIC 2411 | 165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>CONVICTED OF OTHER OFFENSE<br>SENT COVER UNDR PL 1654000AM00<br><br>165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>CONVICTED OF OTHER OFFENSE<br><br>CRIM CRT NEW YORK<br>09-13-74 DKT/IND# M444983<br>SENT COVER UNDR PL 1654000AM00<br><br>< CORRECTION DATA ><br>90 DAYS<br>NYC CON REC CLAS CN<br>09-17-74 INMATE ID 3743269<br>NEW COURT COMM, NOT ON PAROLE |
| ARR DT/PL 09-20-74<br>BRONX COUNTY<br><br>CRM DT/PL 08-14-74<br>BRONX COUNTY<br><br>ARR #/AGY 04229096<br>NYCPD PCT 042<br><br>CRT CON # 1654793P<br><br>FAX NO 820563 | 155.30 PL CLASS E FEL -ATT<br>GRAND LARC: AUTO OVER $250<br>NCIC 2404 | <DISPOSITION><br>110.00 PL CLASS A MISD<br>ATTEMPT AT CLASS E FELONY<br>DISM. AFTER ARAIGN AND HEARING<br><br>CRIM CRT BRONX<br>10-29-74 DKT/IND# X418351 |
| ARR DT/PL 01-13-75<br>NEW YORK COUNTY<br><br>CRM DT/PL 01-13-75<br>NEW YORK COUNTY<br><br>ARR #/AGY 03200121<br>NYCPD PCT 032<br><br>CRT CON # 1729333Z<br><br>FAX NO M1689 | 165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>NCIC 2804<br><br>4010 VTL INFR<br>UNREG MV UNDER 9MO MINIBIKE<br>NCIC 5499<br><br>5010 VTL INFR<br>UNLICENSED OPERATORS-INFRACTNS<br>NCIC 5499<br><br>3190 VTL CLASS U MISD<br>INSURANCE VIOLATIONS<br>NCIC 5499 | |
| ARR DT/PL 05-16-75<br>NEW YORK COUNTY<br><br>CRM DT/PL 05-16-75<br>NEW YORK CITY<br><br>ARR #/AGY 02501941<br>NYCPD PCT 025<br><br>(CONT. NEXT PAGE) | 165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>NCIC 2411<br><br>165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2ND<br>NCIC 2804 | <DISPOSITION><br>155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>NOT ARRAIGNED ON THIS CHARGE<br><br>165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2ND<br>NOT ARRAIGNED ON THIS CHARGE |

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DATE 11-14-76
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| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| CRT CON # 1484039Y<br>FAX NO M17898 | 155.30 PL CLASS E FEL<br>GRAND LARC; AUTO OVER $250<br>NCIC 2499 | 165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br><br>165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>-COMBINED-<br>CONVICTED UPON PLEA OF GUILTY<br>COMB CHGS<br><br>CRIM CRT NEW YORK<br>06-04-75 DKT/IND# N527051<br>SENT: 4 MOS<br>NYC CORRCTL INS MEN<br><br>< CORRECTION DATA ><br>4 MONTHS<br>NYC COR REC CLAS CN<br>06-06-75 INMATE ID 7751471<br>NEW COURT COMM, NOT ON PAROLE |
| ARR DT/PL 09-22-75<br>BRONX COUNTY<br><br>CRM DT/PL 09-09-75<br>BRONX COUNTY<br><br>ARR #/AGY 04132753<br>NYCPD PCT 041<br><br>CRT CON # 2554947R<br>FAX NO 823373 | 155.30 PL CLASS E FEL<br>GRAND LARC; AUTO OVER $250<br>NCIC 2499<br><br>165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>NCIC 2804<br><br>140.35 PL CLASS A MISD<br>POSSESSION OF BURGLAR TOOLS<br>NCIC 2206 | <DISPOSITION><br>INITIAL REPORT OF INDT/DKT NO<br><br>CRIM CRT BRONX<br>09-22-75 DKT/IND# X530471 |
| ARR DT/PL 10-16-75<br>NEW YORK COUNTY<br><br>CRM DT/PL 10-16-75<br>NEW YORK COUNTY<br><br>ARR #/AGY 02804145<br>NYCPD PCT 028<br><br>CRT CON # 0501509P<br>FAX NO M36082 | LOCL 300000 SIG DIS RED<br><br>155.25 PL CLASS A MISD<br>PETIT LARCENY<br>NCIC 2399<br><br>165.05 PL CLASS A MISD<br>UNAUTH USE VEH;W/O OWNER CNSNT<br>NCIC 2411<br><br>5110 VTL CLASS U MISD<br>OPER VEH WHILE LIC SUSPENDED<br>NCIC 5499 | <DISPOSITION><br>155.25 PL CLASS A MISD<br>PETIT LARCENY<br>DISM, AFTER ARAIGN AND HEARING<br><br>5110 VTL CLASS U MISD<br>OPER VEH WHILE LIC SUSPENDED<br>NOT ARRAIGNED ON THIS CHARGE<br><br>165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>DISM, AFTER ARAIGN AND HEARING<br><br>LOCL VIOL OF LOCAL L-<br>AW-VI<br>NOT ARRAIGNED ON THIS CHARGE<br><br>CRIM CRT NEW YORK<br>10-20-75 DKT/IND# N555574 |
| ARR DT/PL 11-09-75<br>BRONX COUNTY<br><br>CRM DT/PL 11-09-75<br>BRONX COUNTY<br><br>(CONT. NEXT PAGE) | 155.35 PL CLASS D FEL<br>GR LAR AUTO: VALUE OVER $1500<br>NCIC 2499<br><br>170.70 PL CLASS E FEL | <DISPOSITION><br>INITIAL REPORT OF INDT/DKT NO<br><br>CRIM CRT BRONX<br>11-10-75 DKT/IND# X536727 |

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DCJS - 5 (4/75) Summary Case History

DATE 11-14-76
NAME [redacted]

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| ARREST DATE INFORMATION | ARREST CHARGES | DISPOSITION AND CORRECTIONS DATA |
|---|---|---|
| ARR #/AGY 04439619<br>NYCPD PCT 044 | ILLEGAL POSS OF VEH IDENT NO<br>NCIC 5406 | |
| CRT CON # 1706345K<br>FAX NO B27944 | 5110 VTL CLASS U MISD<br>OPER VEH WHILE LIC SUSPENDED<br>NCIC 5499 | |
| ARR DT/PL 12-02-75<br>NEW YORK COUNTY | 155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>NCIC 2399 | <DISPOSITION><br>INITIAL REPORT OF IND/DKT NO |
| CRM DT/PL 12-02-75<br>NEW YORK COUNTY | 165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2ND<br>NCIC 2804 | CRIM CRT NEW YORK<br>12-02-75 DKT/IND# N565208 |
| ARR #/AGY 02804910<br>NYCPD PCT 028 | 165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>NCIC 2411 | |
| CRT CON # 2045216P<br>FAX NO M42200 | | |
| ARR DT/PL 02-13-76<br>NEW YORK COUNTY | 155.35 PL CLASS D FEL<br>GR LAR AUTO: VALUE OVER $1500<br>NCIC 2499 | <DISPOSITION><br>INITIAL REPORT OF IND/DKT NO |
| CRM DT/PL 02-13-76<br>NEW YORK CITY | 165.50 PL CLASS D FEL<br>POSSESSION STOLEN PROPERTY-1ST<br>NCIC 2804 | CRIM CRT NEW YORK<br>02-15-76 DKT/IND# N608630 |
| ARR #/AGY 03200469<br>NYCPD PCT 032 | 165.05 PL CLASS A MISD<br>UNAUTHORIZED USE OF A VEHICLE<br>NCIC 2411 | |
| CRT CON # 2103754L<br>FAX NO M005886 | 165.40 PL CLASS A MISD<br>POSSESSION STOLEN PROPERTY-3RD<br>NCIC 2804 | |
| | 5090 VTL INFR<br>UNLICENSED DRIVER<br>NCIC 5499 | |
| ARR DT/PL 04-15-76<br>NEW YORK COUNTY | 155.30 PL CLASS E FEL<br>GRAND LARCENY-3RD<br>NCIC 2399 | <DISPOSITION><br>INITIAL REPORT OF IND/DKT NO |
| CRM DT/PL 04-15-76<br>BRONX COUNTY | 165.45 PL CLASS E FEL<br>POSSESSION STOLEN PROPERTY-2ND<br>NCIC 2804 | CRIM CRT BRONX<br>04-15-76 DKT/IND# X612681 |
| ARR #/AGY 04113416<br>NYCPD PCT 041 | 190.25 PL CLASS A MISD<br>CRIMINAL IMPERSONATION<br>NCIC 2604 | |
| CRT CON # 2079366K<br>FAX NO B009012 | | |

< < < < < < < OTHER INFORMATION > > > > > > >

| TYPE | DATE | COMMENTS |
|---|---|---|
| SOC SEC | | [redacted] FREQ 01 [redacted] FREQ 01 |

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*Represents arrest information unsupported by fingerprints in our files.
All entries are as complete as the date furnished to DCJS.

DCJS - 3 (6/75) Summary Case History

Frank J. Rogers
Commissioner

DATE 11-14-75 PAGE 14
NAME [redacted] NYSID 1290226K

< < < < < < < OTHER INFORMATION > > > > > > >

| TYPE | DATE | COMMENTS | | | | | |
|---|---|---|---|---|---|---|---|
| | | [redacted] | FREQ 01 | [redacted] | | FREQ 01 | |
| BTH INFO | JAN 24,1951 | FREQ 35 | NYC | | NEW YORK | FREQ | 31 |
| | JAN 24,1950 | FREQ 02 | NEW YORK CITY | | NEW YORK | FREQ | 01 |
| | NOV 25,1947 | FREQ 01 | | | NEW YORK | FREQ | 05 |
| | JAN 21,1952 | FREQ 01 | WASH | | NO. CAR. | FREQ | 01 |
| | JUNE 28,1951 | FREQ 01 | | | NO. CAR. | FREQ | 02 |
| | JAN 24,1951 | FREQ 01 | CAPE CHARLES | | VIRGINIA | FREQ | 01 |
| | MAR 29,1951 | FREQ 01 | NY | | NEW YORK | FREQ | 03 |
| | JAN 24,1944 | FREQ 01 | NEW YORK | | NEW YORK | FREQ | 01 |
| | JAN 21,1951 | FREQ 01 | | | | | |
| | JAN 25,1951 | FREQ 01 | | | | | |
| NAME AND ADDRESS | JULY 31,1967 | [redacted] | | | | | |
| | MAR 26,1969 | | | | | | |
| | MAY 7,1969 | | AVE | | NYC | | NEW YORK |
| | JULY 4,1969 | | | | NEW YORK CITY | | NEW YORK |
| | DEC 21,1969 | | | | NYC | | NEW YORK |
| | FEB 5,1970 | | VE 1 | | NYC | | NEW YORK |
| | JULY 28,1970 | | | | | | |
| | NOV 4,1970 | | VE | | NYC | | NEW YORK |
| | NOV 20,1970 | | | | | | |
| | MAR 29,1971 | | | | | | |
| | APR 12,1971 | | | | NYC | | NEW YORK |
| | JUNE 28,1971 | | | | | | |
| | JULY 13,1971 | | | | NYC | | NEW YORK |
| | SEPT 24,1971 | | | | | | |
| | OCT 12,1971 | | | | | | UNKNOWN |
| | NOV 1,1971 | | | | | | |
| | NOV 26,1971 | | | | NYC | | NEW YORK |
| | APR 8,1972 | | | | MAN | | NEW YORK |
| | MAY 16,1972 | | | | NYC | | NEW YORK |
| | NOV 4,1972 | | | | MANH | | NEW YORK |
| | NOV 10,1972 | | | | NYC | | NEW YORK |
| | NOV 20,1972 | | AVE | | NYC | | NEW YORK |
| | DEC 13,1972 | | | | NYC | | NEW YORK |
| | JULY 17,1973 | | | | NYC | | NEW YORK |
| | AUG 29,1973 | | | | BRX | | NEW YORK |
| | OCT 3,1973 | | | | BRX | | NEW YORK |
| | NOV 8,1973 | | | | BRX | | NEW YORK |

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All entries are as complete as the date furnished to DCJS.

DCJS - 3 (4/73) Summary Case History

Frank J. Rogers
Commissioner

DATE 11-1[illegible]-7[illegible]
NAME [redacted]

NYSID 1290226K



< < < < < < < OTHER INFORMATION > > > > > > >

| TYPE | DATE | | COMMENTS | |
|---|---|---|---|---|
| | NOV 14,1973 | | BRONX | NEW YORK |
| | DEC 11,1973 | | BRONKS | NEW YORK |
| | DEC 13,1973 | | BRX | NEW YORK |
| | APR 10,1974 | | NY | NEW YORK |
| | AUG 16,1974 | | NEW YORK | NEW YORK |
| | SEPT 17,1974 | | MANH | NEW YORK |
| | SEPT 20,1974 | | NYC | NEW YORK |
| | JAN 13,1975 | | | |
| | MAY 16,1975 | | NY | NEW YORK |
| | JUNE 6,1975 | | | |
| | SEPT 22,1975 | | NYC | NEW YORK |
| | OCT 16,1975 | * | NYC | NEW YORK |
| | NOV 9,1975 | * | BRONX | NEW YORK |
| | DEC 2,1975 | * | NYC | NEW YORK |
| | FEB 13,1976 | * | | NEW YORK |
| | APR 15,1976 | * | NEW YORK | NEW YORK |

THE ABOVE RESPONSE TO YOUR INQUIRY IS BASED ON A FINGERPRINT IDENTIFICATION AND CONTAINS ALL INFORMATION DCJS IS AUTHORIZED TO REVEAL.

Frank J. Rogers
Frank J. Rogers
Commissioner

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DCJS - 5 (4/75) Summary Case History

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